

In the Matter of the Revocation  
or Suspension of the Educator  
Certificate of Heyward L. Hickman,  
Certificate 162655

## SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 14, 2007. In accordance with S.C. Code Ann. § 1 23-370(c) (2004), the South Carolina Department of Education (Department) requested that the State Board summarily suspend the educator certificate of Heyward L. Hickman, certificate 162655, as a result of his arrest in Lexington County on October 10, 2007, on four counts of first-degree criminal sexual conduct with a child under the age of 11 and two counts of second-degree criminal sexual conduct with a child under the age of 16. The Department has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Hickman may pose a threat to the health, safety, or welfare of students and others and that emergency action by the State Board is required. After considering the evidence presented by the Department, the State Board voted to summarily suspend Mr. Hickman's certificate until a due process hearing is held and/or this matter is otherwise resolved. The Department is directed to serve notice on Mr. Hickman of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

#### **FINDINGS OF FACT**

Mr. Hickman holds a professional South Carolina educator certificate and has over nine years of teaching experience. Mr. Hickman has been employed by the Department as an Education Associate in the Office of Academic Standards since June 2, 2000. On October 10, 2007, Mr. Hickman was arrested in Lexington County and charged with four counts of first-degree criminal sexual conduct with a child under the age of 11 and two counts of second-degree criminal sexual conduct with a child under the age of 16. The Department suspended Mr. Hickman following his arrest on October 10, 2007. The State Board finds that the serious nature of these allegations against Mr. Hickman poses a threat to the health, safety and welfare of students and that emergency action is required to summarily suspend Mr. Hickman's educator certificate.

#### **CONCLUSIONS OF LAW**

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004). Just cause includes unprofessional conduct, immorality, crime against the law of this State or the United States and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (1992). In accordance with S.C. Code Ann. § 1-23-370(c) (2004), "If the agency finds that public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license

may be ordered pending proceedings for revocation or other action." The State Board finds that there is reason to believe that Heyward L. Hickman may pose a threat to the welfare of students that may be under his instruction that requires emergency action by the State Board. Accordingly, the State Board summarily suspends Mr. Hickman's educator certificate until a due process hearing is held and/or this matter is otherwise resolved.

South Carolina State Board of Education

By:   
John E. Tindal, Chair

Columbia, South Carolina

November 14, 2007